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UNCLAS NIAMEY 000520

DEPT FOR AF/W AND AF/RSA
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SUBJECT: Niger's Lawyers Engage in Nation-wide Strike

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11. On July 13, Niger's Bar Association observed a one-day strike to protest against President's Tandja's decision to dissolve the Constitutional Court and to assume emergency powers. Attorneys stayed away from their offices and the courts, effectively stopping judicial proceedings nation-wide. This followed the July 11 statement of the Bar Association in which it denounced President Tandja's recourse to emergency powers as illegal, and declared that, "no provision of the fundamental text confers competence to the head of state to erect himself as an original constituent power and to suspend to his liking of Article 103 through 115 of the Constitution relating to the Constitutional Court."

12. The Bar Association praised the independence and courage of the dissolved Constitutional Court's members and pointed out that the nomination of one of its members on "a jurisdiction that has no legal existence in Niger's judiciary," referring to a court appointed by President Tandja, did not commit the Bar Association to agreeing with President Tandja's political maneuverings. The Bar Association called on ECOWAS, the AU, and the international community "to use their influence to defeat any attempts to deny constitutional legality and the rule of law in Niger."

13. On July 14, the president of Niger's Bar Association noted that the July 13 movement was "not a strike, because we are self-employed. We just decided to lay down our robes for a while in order to show our support for the rule of law, without which we would be jobless...No, we sent a strong signal to the government against the unbearable violations of the law. It is an outcry for the defense of democracy."

ALLEN